IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.673 of 2006.
IN
FIRST APPEAL NO.1028 OF 2006.

Office notes, office memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Shri A.R.Patil, A.G.P.for the Applicant.

Shri R.S.Alouge for the Respondent.

CORAM : ABHAY S.OKA, J.

DATED : 26th July, 2006.

P.C.:

1. Heard the learned A.G.P. for the Applicant and the learned Advocate appearing for the Respondent. The Appeal is filed for challenging the Award made under section 18 of the Land Acquisition Act, 1894. The stay cannot be granted to the award unless the amount due and payable under the award is deposited by the Applicant.

2. Hence the Civil Application is disposed of by the following order:

i) There will be interim relief in terms of prayer clause (b), subject to condition of the Applicant depositing the entire amount due and

payable under the impugned judgment and award with the Reference Court within a period of 12 weeks from today. If the amount is not deposited the interim stay will stand vacated without further reference to the Court.

ii) If the amount is deposited the original claimant will be entitled to withdraw the same on furnishing security to the satisfaction of the Reference Court.

iii) There will be no order as to costs.

Judge.